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SOURCE METHOD EXEMPTION 3B2E-  
NAZI WAR CRIMES DISCLOSURE ACT  
DATE 2005

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SECRET 081159Z CITE VIENNA 4035  
DIRECTOR INFO BONN, FRANKFURT, MUNICH  
KEYWAY  
FROM **C**

1) CE/MAB, APP IN 89237  
2) X/BSY  
3) CE/MAB  
**ACTION**

CS. copy of 132W-2-28/1

1. DISCUSSED DEFECTOR HANDLING QUESTION IN SOME DETAIL  
DURING THREE QUARTER HOUR MEET WITH UTILITY 7 NOV. ATTACHED  
BY ALIAS WENDT, ALIAS CAESAR AND **C**

2. KEY POINT WHICH EMERGED AND DOMINATED ENTIRE DISCUSSION  
WAS UTILITY'S VISIBLE PLEASURE WITH NEW STATE SECRETARY  
APPOINTMENTS IN FEDERAL GOVERNMENT, PARTICULARLY CARSTENS IN  
CHANCELLOR'S OFFICE AND DUCKWITZ IN FOREIGN AFFAIRS, ALTHOUGH  
ALSO INDICATED PERSONAL SATISFACTION IN APPOINTMENT VON HASE TO  
DEFENSE. BROAD GRIN WITH WHICH UTILITY RESPONDED TO MY  
COMPLIMENTS ON THESE APPOINTMENTS SUGGESTS UTILITY MAY WELL HAVE  
HAD HAND IN THEM AND CERTAINLY ANTICIPATES GOOD SUPPORT FOR  
CATUSK.

3. ALIAS WENDT OUTLINED JOINT CATUSK/CAVATA/ASBW POSITION  
RE DEFECTOR HANDLING IN FEDREP TO BE THAT CATUSK SHOULD BEAR  
RESPONSIBILITY ON FEDERAL SIDE FOR CONDUCT OF PROGRAM JOINTLY  
WITH WOFIRM, MINISTRY OF INTERIOR SHOULD BE RESPONSIBLE AGENCY

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FOR ISSUING VISAS TO DEFECTORS BROUGHT INTO GERMANY FROM OTHER COUNTRIES IN ORDER MAKE THEIR PRESENCE ACCORD WITH GERMAN LAW, AND FINALLY THAT PROGRAM SHOULD CONTINUE UNDER PRIMARY AUSPICES OF AMERICANS FOR PRESENT. (IT MY UNDERSTANDING FROM DISCUSSION WITH STATION OFFICERS BONN THAT THIS RECOMMENDATION NOW UNDER CONSIDERATION AT FEDERAL GOVERNMENT LEVEL ALTHOUGH HAD NOT PREVIOUSLY KNOWN EXACTLY WHAT SUBSTANCE OF JOINT RECOMMENDATION WAS).

4. IN DISCUSSING POLITICAL ASPECTS UTILITY STATED IT HIS LONGSTANDING PRINCIPLE AVOID DEALING POLITICAL LEVEL MORE THAN ABSOLUTELY NECESSARY. (HE CITED ~~C~~ ~~1~~ CASE AS EXAMPLE NOTING HE TOOK RESPONSIBILITY UPON HIMSELF AND DID NOT INFORM FOREIGN OFFICE.) IN RESPONSE MY REQUEST HOWEVER, IN VIEW EXTENSIVE DISCUSSION DEFECTOR MATTERS WHICH HAD ALREADY OCCURRED AT GERMAN AND AMERICAN POLITICAL LEVELS BONN, UTILITY STATED WOULD UNDERTAKE TO HAVE DUCKWITZ, AFTER HE HAS COMPLETED CURRENT ROUND OF EXTENSIVE BRIEFINGS INCIDENTAL TAKING OVER NEW JOB, MAKE STATEMENT TO ~~L~~ ~~1~~ TO EFFECT THAT FOREIGN OFFICE AWARE OF AND SATISFIED WITH DEFECTOR PROGRAM IN FEDREP. UTILITY BELIEVES CAN GET DUCKWITZ DO THIS IN

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ABOUT SIX WEEKS TIME.

5. EXPLAINED TO UTILITY WE WISHED ELIMINATE TERM "CENTER" TO GET AWAY FROM IMAGE OF PHYSICAL INSTALLATION AND INSTEAD REGARD [ ] AS GROUP SKILLED INTERROGATORS CAPABLE HANDLING DEFECTORS ON AD HOC BASIS. INDICATED WE WILLING DISCUSS ANY CHANGES/RECOMMENDATIONS UTILITY MIGHT WISH MAKE RE [ ] AND/OR DEFECTOR HANDLING BUT HE INDICATED CATUSK DID NOT NOW HAVE QUALIFIED PERSONNEL TO ADD TO PROGRAM AND HE SATISFIED CONTINUE AS AT PRESENT WITH ALIAS LORING REPRESENTING CATUSK. [ ] MADE SPECIAL POINT OF EXTENSIVE BACKGROUND BOTH COB FRANKFURT AND CHIEF [ ] POSSESS IN DEFECTOR HANDLING QUESTIONS AND SUGGESTED CATUSK STAFF OFFICERS REVIEW PROGRAM WITH THEM FOR ORIENTATION PURPOSES (WHICH UNDERSTAND ALIAS CAESAR PLANS DO IN NEAR FUTURE).

6. ON LEGAL/POLITICAL QUESTION OF ALLIED RIGHT TO CUSTODY SOVIET DEFECTORS ENTERING FEDREP DIRECTLY ALIAS WENDT STATED FEDREP LAW REQUIRES (UNDER PRINCIPLE OF FREIZUEGIGKEIT) THAT DEFECTOR WHO REQUESTS AMERICAN ASYLUM BE PERMITTED BE TAKEN OVER BY AMERICANS. IF HE REQUESTS FEDREP ASYLUM MUST UNDER GERMAN LAW BE SENT TO D.P. CAMP WHERE CATUSK WELL

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REPRESENTED SO WILL COME CATUSK ATTENTION. UTILITY DISMISSED QUESTION WHETHER TURNOVER SOVIET DEFECTORS TO AMERICANS REPRESENTED INFRINGEMENT GERMAN SOVEREIGNTY STATING SUCH CONCEPT NOTHING BUT POLITICAL TOOL, AND HE THOUGHT IT LIKELY BE TO POLITICAL ADVANTAGE FEDREP FOR SOME TIME TO COME TO TURNOVER SUCH DEFECTORS. ALSO AGREED HUEBNER/MALININ AGREEMENT CONTINUES HAVE IMPORTANCE TO FEDREP IN VIEW RECIPROCAL ASPECT OF HOLDING SOVIETS RESPONSIBLE IN EAST GERMANY FOR AMERICAN DEFECTORS.

7. IN ADDITION STRONG SUPPORT FOR CONDUCT DEFECTOR PROGRAM IN GERMANY INDICATED ABOVE, IT OF INTEREST THAT ALIAS REICHLIN DURING SIMILAR DISCUSSION WITH C 2 ON 6 NOV. STRESSED THAT FROM CATUSK'S STANDPOINT PRIMARY INTEREST LAY PRECISELY IN THOSE SOV BLOC DEFECTORS WHICH WERE BROUGHT TO FEDREP AFTER REQUESTING AMERICAN ASYLUM IN OTHER COUNTRIES AND WHICH REPRESENTED SOURCE OF INFORMATION CATUSK WOULD PROBABLY NOT OTHERWISE HAVE. (REICHLIN NOTED THAT CATUSK CLEARLY COULD OBTAIN ACCESS TO SOV BLOC DEFECTORS WHO CAME DIRECTLY TO FEDREP SO THAT COLLABORATION WITH WOFIRM IN DEFECTOR MATTERS PRIMARILY TO ACHIEVE DIRECT ACCESS TO CASES

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COMING INTO AMERICAN HANDS WORLDWIDE.)

8. IN SUMMARY, OUTLINED TO UTILITY OUR INTENTION BE MORE SELECTIVE IN DEFECTORS WE PROPOSE BRING FEDREP FOR EXPLOITATION, AND AGREED WOULD DISCUSS HANDLING EACH CASE ON AD HOC BASIS TO INCLUDE ON OCCASION ULTIMATE RESETTLEMENT WHEN FEDREP APPEARED BE GOOD RESETTLEMENT POSSIBILITY IN SO FAR AS CATUSK MIGHT BE ABLE ASSIST. UTILITY LITERALLY EXUDED CONFIDENCE HIS ABILITY OBTAIN SUPPORT FOR CATUSK ACTIVITIES VIA DUCKWITZ AND CARSTENS AND CLOSED MEETING ON NOTE THAT HE EXPECTED "BE AROUND FOR NEXT YEAR OR TWO."

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*Sweetness and light in  
Munch. But Brown  
seems to remain another  
matter.*  
g